

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-01-04**

Date Published: December 30, 2004

For Work Week Commencing: January 3, 2005

New Commission Business Meeting: January 3, 2005, 3:00 p.m.

Commission Meeting: January 4, 2005, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

January 3, 2005, 3:00 p.m. (Bollinger Room) - Elect PSC chairman and vice-chairman and appoint Commission secretary

January 4, 2005, 9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. SPRINT COMMUNICATIONS COMPANY L. P. MONTANA N2004.12.197 (Leroy)

On December 14, 2004, Sprint filed its 242nd Revised Page 1, to introduce Sprint/Blackstone Surcharge Asian Prepaid PhoneCard and Sprint/Blackstone Surcharge Latino Prepaid PhoneCard; Sprint State

Solutions 30; 15 level to 9278 Distributors, Inc. Surcharge Prepaid PhoneCard; Sprint/CVS Pharmacy International Prepaid PhoneCard, Sprint/CVS Pharmacy Latino Prepaid PhoneCard, and Sprint/CVS Mexico Prepaid Phonecard; and make text changes. Sprint is requesting a December 21, 2004 effective date. Staff recommends approval.

2. NorthWestern Energy D2001.10.144 (Robin)

Marjorie L. Thomas, an attorney for NorthWestern Energy, has made a motion to withdraw as counsel In the Matter of the Application of the Montana Power Company's 1) Approval for the Default Supply Portfolio, and 2) the Projected Electric Cost Tracking for the 12-Month Period Beginning July 1, 2002. Staff recommends approval.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2004.11.183 – Qwest – Motion for a Term Protective Order - Discuss and act on Qwest's amended motion for a term protective order to cover rate/cost comparisons and other related matters as necessary. (1/4/05)
2. FERC RM04-7-000 – Market-Based Rates (MBR) for Public Utilities – Discuss and decide Commission participation in FERC rule-making docket. (1/4/05)
3. FERC ER99-3491-003 et al – PPL Montana Triennial Update in re market power and market-based rates – Discuss PPL-MT's answer to Motion to Extend Time and any further action in docket. (1/4/05)
4. FERC ER03-329-006 et al – NorthWestern Corporation's Triennial Market Power Update – Discuss NorthWestern's application and determine any action the Commission may wish to take. (1/4/05)
5. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (1/4/05)
6. Staff travel – Discuss whether to authorize staff travel to attend NARUC intercarrier compensation task force workshop January 25-26, 2005. (1/4/05)

7. Legislative matters – Discuss bills and other matters related to 2005 legislative session. (1/4/05)
8. **1/5/05 8:30 a.m.** – Legislative matters – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (1/5/05)
9. **1/5/04 9:30 a.m.** – New Commissioner orientation re: natural gas and consumer issues – Provide overview of current natural gas and consumer issues. (1/5/05)
10. **1/6/05 11:00 a.m.** – Legislative matters – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (1/6/05)
11. **1/7/05 11:00 a.m.** – Legislative matters – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (1/7/05)

Other Meetings

1/6/05 3:00 p.m. – PSC overview presentation to Senate Energy and Telecom Committee (Room 317C, Capitol)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.12.198 – PSC Initiated Complaint – In the Matter of Yellow-Page.Net, OAN Services, Inc., and Enhanced Services Billing, Inc. (ESBI) Regarding Unauthorized Charges on Customers' Telecommunications Bills

N2004.12.199 – United Energy Trading, LLC – Application for Natural Gas Supplier License

D2004.12.200 – Qwest Corporation – Petition for Limited Temporary Waiver of ARM 38.5.3339(5)(b)

D2004.12.201 – Black Hills Power – Letter of Transmittal Quarterly Fuel Rate Rider

D2004.12.202 – Five Valleys Gas Co. – Application to Increase Rates for Propane Service in Its Seeley Lake, Montana Service Area and to Implement a Propane Cost Tracking Adjustment Procedure